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International Convention on the Elimination of all Forms of Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Fifty-seventh session
31 July - 25 August 2000

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Concluding observations of the Committee on the Elimination of Racial Discrimination

Uzbekistan

1. The Committee considered the initial and second periodic report of Uzbekistan (CERD/C/327/Add.1) at its 1428th meeting (CERD/C/SR.1428), on 18 August 2000, and at its 1433rd meeting (CERD/C/SR.1433), on 23 August 2000, adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the comprehensiveness and high quality of the report submitted by the State party, in accordance with the Committee's guidelines, which contains relevant information about the implementation of the provisions of the Convention in the State party. The Committee welcomes the opportunity to initiate an open and constructive dialogue with the State party.

B. Positive aspects

3. The Committee welcomes the incorporation of the fundamental provisions of the International Bill of Human Rights into the Constitution of the State party.

4. The State party's ratification of the six major human rights international instruments is welcomed by the Committee. The ratification in 1992 of ILO Convention (No. 111) concerning Discrimination in Respect of Employment and Occupation (1958) is also welcomed.

5. The Committee notes with appreciation that article 18 of the Constitution of the State party establishes the principle of equality of all

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citizens irrespective of their race, nationality, language and other attributes.

6. The Committee welcomes the creation of core institutions for the protection and promotion of human rights, including the Constitutional Court, the Parliamentary Institute for Monitoring Current Legislation, the Office of the Parliamentary Commissioner for Human Rights (Ombudsman) and the National Human Rights Centre of the Republic of Uzbekistan.

7. The measures taken by the State party in the field of teaching, education, culture and information on human rights, especially those of the National Centre for Human Rights, are welcomed by the Committee.

C. Concerns and recommendations

8. The Committee recommends that the State party include in its next periodic report an assessment of its implementing the Convention, together with information on any difficulties encountered.

9. The Committee recommends that the State party include in its next periodic report additional information concerning the status of the Convention in relation to the Constitution and other domestic legislation, with a view to providing the Committee with a better understanding of the status of the Convention in the State party's legal system.

10. With regard to measures undertaken to combat racial discrimination, the Committee notes with interest the information on the revision of legislation prohibiting racial discrimination undertaken by the Parliamentary Institute for Monitoring Current Legislation and the Parliamentary Commissioner for Human Rights (Ombudsman). In this regard, the Committee recommends that the State party include in its next report the results of this legislative review as well as information on the actions undertaken by the Ombudsman in the field of combating racial discrimination.

11. The Committee, noting with concern that some isolated cases of inter-ethnic conflict have been reported, recommends that the State party pay particular attention to the effective prevention and monitoring of possible areas of ethnic conflict.

12. The Committee takes note that articles 141, 153 and 156 of the State party's Criminal Code establish measures according to article 4 (a) of the Convention. Nevertheless, the Committee was unable to determine whether the legislation of the State party fully conforms with the provisions of article 4 (b) and (c) of the Convention. In this regard, with a view to having a clearer understanding of the scope of the State party's domestic legislation in this area, the Committee recommends that the State party include in its next periodic report the texts of relevant domestic legislation, of the Constitution, and of article 3 of the Law of Social Organizations.

13. The Committee expresses its concern at the lack of domestic legislation for the protection of refugees and asylum-seekers and at reported incidents of discrimination against refugees, especially in respect to their access to State social services. The Committee recommends that the State party enact legislation on asylum in accordance with the 1951 Convention relating to the Status of Refugees.

14. The Committee recommends that the State party undertake legislative reform to safeguard the enjoyment, without any discrimination, by all segments of the population of the economic, social and cultural rights listed in article 5 of the Convention.

15. The Committee notes with interest the statistics on complaints related to human rights violations received by the Office of the Parliamentary Commissioner for Human Rights (Ombudsman). The Committee recommends that the State party include in its next periodic report information on the practical

implementation and monitoring of articles 4, 5 and 6 of the Convention, including statistics on racially motivated complaints.

16. While the Committee welcomes the State party's initiative in the field of human rights education, it is of the opinion that the State party's educational programmes to prevent and combat racial discrimination need to be strengthened. In this regard, the Committee recommends that the State party extend its educational programmes in order to raise awareness of the population at large of all aspects related to racial discrimination.

17. It is noted that the State party has not made the declaration provided for in article 14 of the Convention, and some members of the Committee request that the possibility of such a declaration be considered.

18. The Committee recommends that the State party ratify the amendments to article 8, paragraph 6, of the Convention, adopted on 15 January 1992 at the Fourteenth Meeting of States Parties to the Convention.

19. The Committee recommends that the State party's reports be made readily available to the public from the time they are submitted and that the Committee's concluding observations on them be similarly publicized.

20. The Committee recommends that the State party's next periodic report, due on 28 October 2001, be an updating report and that it address the points raised in the present concluding observations.